

Lying within the boundaries of the RE-1 School District and close to the spot where Arizona, Colorado, New Mexico and Utah have common corners is a small mountain range with an elevation of 9884 feet called Ute Mountain. The outline of that range is found below. Local Indian legend claims that one of the gods became angry with his people and gathered the rain clouds together and lay down to sleep. When clouds hang over the peaks they are said to have slipped from his grasp. The legend concludes with the expectation that someday the anger will cease and he will arise and lead the Indians to victory over their enemies.

Montezuma-Cortez School District RE-1

P.O. Drawer R • 121 East First Street • Cortez, Colorado 81321
(970) 565-7522 • Fax (970) 565-2161
cortez.k12.co.us

Thompson
Superintendent

February 22, 2005

ve Crews
Human Resources/
Secondary Instruction

George Schunpelt
Special Projects/
Elementary Instruction

John Burris
Business Services

Lissa Brunner
Financial Services

Request for Review
Federal Communications Commission
Office of the Secretary
9300 East Hampton Drive
Capitol Heights, MD 20743

CC Docket No. 02-6

Applicant Name: Montezuma-Cortez School District RE-1
Billed Entity Number: 142420
Form 471 Application Number: 414192
Funding Year 2004: 07-01-2004 – 06/30/2005
Funding Request Number(s): 1157820, 1157869, 1157930, 1157949, 1157965, 1157986, 1158014, 1158050, 1158173

To Whom It May Concern:

Please note that this is a request for review for the above referenced application.

1. Name, address, telephone number, fax number, and e-mail address for the person who can most readily discuss this appeal.

Terri Storm
2023 Stetson Place Court
Richmond, TX 77469
281-342-6308 (office)
281-342-6308 (fax)
terri.storm@sbcglobal.net

The following SLD Decision(s) are being appealed based upon the documentation provided.

Funding Commitment Decision Letter dated June 22, 2004, Exhibit 1

Letter of Appeal dated July 20, 2004, Exhibit 2

Administrator's Decision on Appeal Letter dated December 27, 2004, Exhibit 3

Excerpt from Administrator's Decision on Appeal Letter dated December 27, 2004, Exhibit 3:
After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of SLD's Funding Year 2004 fund Commitment Decision Letter for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

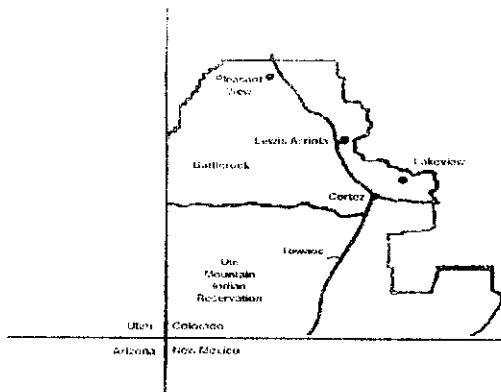
RECEIVED & INSPECTED

MAR 1 - 2005

FCC - MAILROOM

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List ABCDE

Lying within the boundaries of the RE-1 School District and close to the spot where Arizona, Colorado, New Mexico and Utah have common corners is a small mountain range with an elevation of 9884 feet called Ute Mountain. The outline of that range is found below. Local Indian legend claims that one of the gods became angry with his people and gathered the rain clouds together and lay down to sleep. When clouds hang over the peaks they are said to have slipped from his grasp. The legend concludes with the expectation that someday the anger will cease and he will arise and lead the Indians to victory over their enemies.



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Funding Request Number:

1157820, 1157869, 1157930, 1157949, 1157965, 1157986, 1158014,
1158050, 1158173

Decision on Appeal:

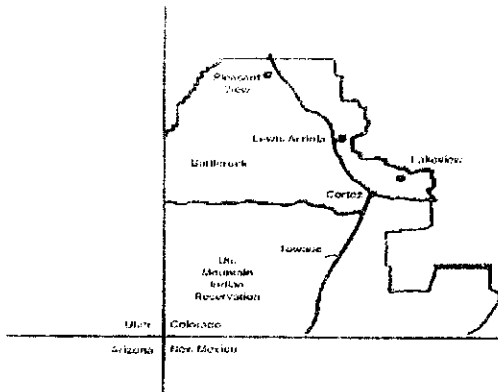
Denied in full

Explanation:

- On appeal, you disagree with the denial of your requests due to insufficient documentation. You explain that the requested information was sent to SLD and receipt of the information confirmed verbally on June 2, 2004. To support your claim, you have included an Airborne Express waybill, a copy of the Item 21, the vendor quotes that were requested by SLD and two emails you sent to SLD regarding the review process.
- Upon review of this appeal and relevant information, it has been determined that SLD has no record of receipt of the additional documentation requested by Program Integrity Assurance (PIA) during the initial review process. The Airborne Express waybill that you reference was sent to SLD Kansas and included the original Item 21 documentation which was insufficient to support your requests, thereby prompting the request for additional information.

Reason(s) for Request for Review:

- SLD Denial based upon Item 21 attachments that were sent originally to Lawrence, Kansas as evidenced by Exhibit A of the SLD appeal which SLD deemed insufficient to support request for funding in their letter dated May 19, 2004, Exhibit C. In the request for additional information by SLD dated May 19, 2004, the Program Integrity Assurance (PIA) team alleges, "the documentation does not clearly identify the products/services being requested in this FRN. Please provide more detailed documentation that identifies the actual products and services being requested." The original documentation as evidenced in Exhibit(s) E thru M clearly identify what each product/service was being requested therefore, as evidenced, there is no basis for denial due to insufficient documentation in this case.
- With regards to the emails sent to SLD during the review process, please refer to Exhibit(s) N thru S as these were emails in response to SLD's request for additional information dated May 19, 2004, Exhibit C and May 28, 2004, Exhibit P with responses to those requests via email dated May 26, 2004, Exhibit(s) N and O, and May 29, 2004, Exhibit(s) Q and R. Additionally, verbal confirmation was obtained on June 2, 2004, a copy of phone records, Exhibit D attached due to several facts, the first being the second request for information was received Friday, May 28, 2004, Exhibit P, secondly, we responded to the second request Saturday, May 29, 2004, Exhibit(s) Q and R, thirdly, Monday, May 31, 2004 was a Federal holiday, therefore, Tuesday, June 1 an email was generated to Jesse Johnson (PIA), Exhibit S, requesting confirmation of receipt that went unanswered. Lastly, our only way of obtaining confirmation of receipt of information was through verbal contact as Jesse Johnson's email account was not set up to generate a "read receipt" therefore electronic confirmation was not available and voicemails left for Mr. Johnson, further evidenced by phone records on May 21 and June 1, Exhibit D, went unanswered as well as email requests, Exhibit S. Therefore, as evidenced, there is no basis for denial due to alleged non-receipt of information.
- SLD reviews Form 471 applications and makes funding commitment decision in compliance with FCC rules. See 47 C.F.R. § 54.500 *et. seq.* To conduct these reviews, SLD has put in place administrative measures to ensure the prompt resolution of applications. See *Request for*



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- *Review by Marshall County School district, Federal-State Joint Board on Universal Service, Changes to the Board of Directors of National Exchange Carrier Association, Inc., CC Docket Nos 96-45 and 97-21, Order, 18 FCC Rcd. 4520, DA 03-764, ¶ 6 (rel. Mar. 13, 2003). (Marshall County) One such measure is that applicants are required to respond to SLD's requests for the additional information necessary to complete their application within 7 days of being contacted. Id.; SLD section of the USAC web site, Reference Area, "Deadline for Information Requests," www.sl.universalservice.org/reference/deadline.asp. This procedure is necessary to prevent undue delays during the application review process. See Marshall County ¶ 6. If applicants do not respond within this time period, SLD reviews the application based on the information before it.*

Explanation:

- During the review of your Form 471, SLD sought additional information from you and notified you that this information needed to be provided within 7 days. You did not provide this information within 7 days or within any extended timeframe we agreed upon, or the information that you provided was insufficient to complete your Form 471 application. Consequently, SLD denies your appeal.

Reason(s) for Request for Review:

- SLD Denial based upon seven (7) day response is incorrect as evidenced by PIA letter(s) requesting additional information dated May 19, 2004, Exhibit C and May 28, 2004, Exhibit P, along with responses to those requests via email dated May 26, 2004, Exhibit(s) N and O, and May 29, 2004, Exhibit(s) Q and R, clearly within the seven (7) day response timeframe. Therefore, as evidenced, there is no basis for denial as the seven (7) day response was adhered to.

Should you have additional questions, or need additional documentation, please contact our Consultant listed in item 1 of this Request for Review.

Sincerely,

Tom Burris
Business Manager

Exhibit 1

TIME SENSITIVE MATERIAL

00108
Tom Burris
MONTEZUMA-CORTEZ DISTRICT RE 1
121 E 1ST ST
CORTEZ, CO 81321

|||||

USAC

Schools and Libraries Division
Box 125 - Correspondence Unit
80 South Jefferson Road
Whippany, New Jersey 07981

IMPORTANT REMINDERS & DEADLINES

Date: June 22, 2004
471 : 414192
BEN : 142420

The following information is provided to assist you throughout the application process. We recommend that you keep it in an easily accessible location and that you share it with the appropriate members of your organization.

FORM 486 DEADLINE - The Form 486 must be postmarked no later than 120 days after the Service Start Date you report on the Form 486 or no later than 120 days after the date of the Funding Commitment Decision Letter, whichever is later. If you are required to have a Technology Plan, that plan must be approved by the start of service for this funding year, you must indicate the SLD Certified Technology Approver who approved your plan and you must retain your approval letter and documentation of your monitoring of the progress toward your stated goals.

CHILDREN'S INTERNET PROTECTION ACT (CIPA) - You must be in compliance with CIPA and cannot request a waiver, if FY2004 is your Third Funding Year for the purposes of CIPA.

INVOICE DEADLINE - Invoices must be postmarked no later than 120 days after the last date to receive service - including extensions - or 120 days after the date of the Form 486 Notification Letter, whichever is later. Invoices should not be submitted until the invoiced products and services have been delivered and billed, and (for BEAR Forms) the provider has been paid.

OBLIGATION TO PAY NON-DISCOUNT PORTION - Applicants are required to pay the non-discount portion of the cost of the products and/or services. Service providers are required to bill applicants for the non-discount portion. The FCC has stated that requiring applicants to pay their share ensures efficiency and accountability in the program. If you are using a trade-in as part of your non-discount portion, please refer to the SLD web site.

RETAIN DOCUMENTATION - Applicants must retain documentation, including but not limited to, documents showing:

- compliance with all applicable competitive bidding requirements,
- products and/or services delivered (e.g., customer bills detailing make, model and serial number),
- resources necessary to make effective use of E-rate discounts, including the purchase of equipment such as workstations not eligible for support,
- the specific location of each item of E-rate funded equipment, and
- the applicant has paid the non-discount portion.

These documents must be retained and available for review for 5 years.

SUSPENSION AND DEBARMENT - Persons who have been convicted of criminal violations or held civilly liable for certain acts arising from their participation in the Schools and Libraries Support Mechanism are subject to suspension and debarment from the program.

FREE SERVICES ADVISORY - Applicants and service providers are prohibited from using the Schools and Libraries Support Mechanism to subsidize the procurement of ineligible or unrequested products and services, or from participating in arrangements that have the effect of providing a discount level to applicants greater than that to which applicants are entitled.

Complete program information - including more information on these reminders - is posted to the Schools and Libraries Division (SLD) web site at www.sl.universalservice.org. You may also contact the SLD Client Service Bureau by e-mail using the "Submit a Question" link on the SLD web site, by fax at 1-888-276-8736 or by phone at 1-888-203-8100.



Universal Service Administrative Company
Schools & Libraries Division

FUNDING COMMITMENT DECISION LETTER

(Funding Year 2004: 07/01/2004 - 06/30/2005)

June 22, 2004

Tom Burris
MONTEZUMA-CORTEZ DISTRICT RE 1
121 E 1ST ST
CORTEZ, CO 81321

Re: Form 471 Application Number: 414192
Funding Year 2004: 07/01/2004 - 06/30/2005
Billed Entity Number: 142420
Applicant's Form Identifier: 2004 471 IC

Thank you for your Funding Year 2004 E-rate application and for any assistance you provided throughout our review. Here is the current status of the funding request(s) featured in the Funding Commitment Report at the end of this letter.

- The amount, \$168,865.27 is "Denied."

Please refer to the Funding Commitment Report on the page following this letter for specific funding request decisions and explanations.

The Important Reminders and Deadlines immediately preceding this letter are provided to assist you throughout the application process.

NEXT STEPS

- Review technology planning approval requirements
- Review CIPA Requirements
- File Form 486
- Invoice the SLD using the Form 474 (service providers) or Form 472 (Billed Entity)

FUNDING COMMITMENT REPORT

On the pages following this letter, we have provided a Funding Commitment Report for the Form 471 application cited above. The enclosed report includes a list of the Funding Request Number(s) (FRNs) from your application. The SLD is also sending this information to your service provider(s) so preparations can be made to begin implementing your E-rate discount(s) after you file your Form 486. Immediately preceding the Funding Commitment Report, you will find a guide that provides a definition for each line of the Report.

TO APPEAL THIS DECISION:

If you wish to appeal the decision indicated in this letter, your appeal must be received by the SLD or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and e-mail address (if available) for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Identify which Funding Commitment Decision(s) you are appealing. Indicate the relevant funding year and the date of the FCDL. Your letter of appeal must also include the Billed Entity Name, the

Form 471 Application Number, and the Billed Entity Number from the top of your letter.

3. When explaining your appeal, copy the language or text from the Funding Commitment Report that is at the heart of your appeal, to allow the SLD to more readily understand your appeal and respond appropriately. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep copies of your correspondence and documentation.
4. Provide an authorized signature on your letter of appeal.

If you are submitting your appeal on paper, please send your appeal to: Letter of Appeal, Schools and Libraries Division, Box 125 - Correspondence Unit, 80 South Jefferson Road, Whippany, NJ 07981. Additional options for filing an appeal can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We encourage the use of either the e-mail or fax filing options.

While we encourage you to resolve your appeal with the SLD first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, sent to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use either the e-mail or fax filing options.

NOTICE ON RULES AND FUNDS AVAILABILITY

Applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the Schools and Libraries Universal Service Support Mechanism. Applicants who have received funding commitments continue to be subject to audits and other reviews that USAC and/or the FCC may undertake periodically to assure that funds that have been committed are being used in accordance with all such requirements. The SLD may be required to reduce or cancel funding commitments that were not issued in accordance with such requirements, whether due to action or inaction, including but not limited to that by the SLD, the applicant, or the service provider. The SLD, and other appropriate authorities (including but not limited to USAC and the FCC), may pursue enforcement actions and other means of recourse to collect erroneously disbursed funds. The timing of payment of invoices may also be affected by the availability of funds based on the amount of funds collected from contributing telecommunications companies.

Schools and Libraries Division
Universal Service Administrative Company

A GUIDE TO THE FUNDING COMMITMENT REPORT

A report for each E-rate funding request from your application is attached to this letter. We are providing the following definitions for the items in that report.

FORM 471 APPLICATION NUMBER: The unique identifier assigned to a Form 471 application by the SLD.

FUNDING REQUEST NUMBER (ERN): A Funding Request Number is assigned by the SLD to each Block 5 of your Form 471 once an application has been processed. This number is used to report to applicants and service providers the status of individual funding requests submitted on a Form 471.

FUNDING STATUS: Each ERN will have one of the following definitions:

1. An ERN that is "Funded" is approved at the level that the SLD determined is appropriate for this ERN. The funding level will generally be the level requested unless the SLD determines during the application review process that some adjustment is appropriate.
2. An ERN that is "Not Funded" is one for which no funds were committed. The reason for the decision will be briefly explained in the "Funding Commitment Decision Explanation." An ERN may be "Not Funded" because the request does not comply with program rules, or because the total amount of funding available for this Funding Year was insufficient to fund all requests.
3. An ERN that is "As Yet Unfunded" reflects a temporary status that is assigned to an ERN when the SLD is uncertain at the time the letter is generated whether there will be sufficient funds to make commitments for requests for Internal Connections at a particular discount level. For example, if your application included requests for discounts on both Telecommunications Services and Internal Connections, you might receive a letter with funding commitments for your Telecommunications Services funding requests and a message that your Internal Connection requests are "As Yet Unfunded." You would receive one or more subsequent letters regarding the funding decision on your Internal Connections requests.

SERVICES ORDERED: The type of service ordered from the service provider, as shown on your Form 471.

SPIN (Service Provider Identification Number): A unique number assigned by the Universal Service Administrative Company to service providers seeking payment from the Universal Service Fund for participating in the universal service support mechanisms. A SPIN is also used to verify delivery of services and to arrange for payment.

SERVICE PROVIDER NAME: The legal name of the service provider.

CONTRACT NUMBER: The number of the contract between the eligible party and the service provider. This will be present only if a contract number was provided on your Form 471.

BILLING ACCOUNT NUMBER: The account number that your service provider has established with you for billing purposes. This will be present only if a Billing Account Number was provided on your Form 471.

SERVICE START DATE: The date services were reported to start for this ERN on your Form 471.

CONTRACT EXPIRATION DATE: The date the contract expires. This will be present only if a contract expiration date was provided on your Form 471.

SITE IDENTIFIER: The Entity Number listed in Form 471, Block 5, Item 22a. This will be present only for "site specific" ERNs.

ANNUAL PRE-DISCOUNT AMOUNT FOR ELIGIBLE RECURRING CHARGES: Eligible monthly pre-discount amount approved for recurring charges multiplied by number of months of recurring service approved for the funding year.

ANNUAL PRE-DISCOUNT AMOUNT FOR ELIGIBLE NON-RECURRING CHARGES: Annual eligible non-recurring charges approved for the funding year.

PRE-DISCOUNT AMOUNT: Amount in Form 471, Block 5, Item 23I, as determined through the application review process.

DISCOUNT PERCENTAGE APPROVED BY THE SLD: The discount rate that the SLD has approved for this service.

FUNDING COMMITMENT DECISION: This represents the total amount of funding that the SLD has reserved to reimburse your service provider for the approved discounts for this service for this funding year. It is important that you and your service provider both recognize that the SLD should be invoiced and the SLD may direct disbursement of discounts only for eligible, approved services actually rendered.

FUNDING COMMITMENT DECISION EXPLANATION: This entry provides an explanation of the amount in the "Funding Commitment Decision."

FUNDING COMMITMENT REPORT

Form 471 Application Number: 414192
Funding Request Number: 1157820 Funding Status: Not Funded
Services Ordered: Internal Connections
SPIN: 143026983 Service Provider Name: Wahaya L.L.C.
Contract Number: N/A
Billing Account Number: TBA
Service Start Date: 07/01/2004
Contract Expiration Date: 06/30/2005
Annual Pre-discount Amount for Eligible Recurring Charges: \$10,954.20
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$1,010.00
Pre-discount Amount: \$11,964.20
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Insufficient documentation
Funding Commitment Decision Explanation: Applicant has not provided sufficient documentation to determine the eligibility of this item.

Funding Request Number: 1157869 Funding Status: Not Funded
Services Ordered: Internal Connections
SPIN: 143026983 Service Provider Name: Wahaya L.L.C.
Contract Number: N/A
Billing Account Number: TBA
Service Start Date: 07/01/2004
Contract Expiration Date: 06/30/2005
Annual Pre-discount Amount for Eligible Recurring Charges: \$8,006.52
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$1,210.00
Pre-discount Amount: \$9,216.52
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Insufficient documentation
Funding Commitment Decision Explanation: Applicant has not provided sufficient documentation to determine the eligibility of this item.

Funding Request Number: 1157930 Funding Status: Not Funded
Services Ordered: Internal Connections
SPIN: 143026983 Service Provider Name: Wahaya L.L.C.
Contract Number: N/A
Billing Account Number: TBA
Service Start Date: 07/01/2004
Contract Expiration Date: 06/30/2005
Annual Pre-discount Amount for Eligible Recurring Charges: \$23,010.12
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$5,080.00
Pre-discount Amount: \$28,090.12
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Insufficient documentation
Funding Commitment Decision Explanation: Applicant has not provided sufficient documentation to determine the eligibility of this item.

Funding Request Number: 1157949 Funding Status: Not Funded
Services Ordered: Internal Connections
SPIN: 143026983 Service Provider Name: Wahaya L.L.C.
Contract Number: N/A
Billing Account Number: TBA
Service Start Date: 07/01/2004
Contract Expiration Date: 06/30/2005
Annual Pre-discount Amount for Eligible Recurring Charges: \$2,985.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$60.00
Pre-discount Amount: \$3,045.00
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Insufficient documentation
Funding Commitment Decision Explanation: Applicant has not provided sufficient documentation to determine the eligibility of this item.

FUNDING COMMITMENT REPORT

Form 471 Application Number: 414192
Funding Request Number: 1158173 Funding Status: Not Funded
Services Ordered: Internal Connections
SPIN: 143026762 Service Provider Name: Solutionz Videoconferencing, Inc
Contract Number: N/A
Billing Account Number: TBA
Service Start Date: 07/01/2004
Contract Expiration Date: 06/30/2005
Annual Pre-discount Amount for Eligible Recurring Charges: \$61,779.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$9,468.00
Pre-discount Amount: \$71,247.00
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Insufficient documentation
Funding Commitment Decision Explanation: Applicant has not provided sufficient
documentation to determine the eligibility of this item.

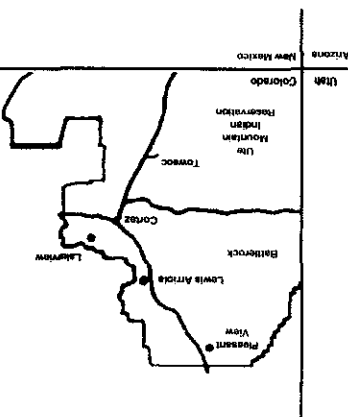
Exhibit 2

Lying within the boundaries of the RE-1 School District and close to the spot where Arizona, Colorado, New Mexico and Utah have common corners is a small mountain range with an elevation of 9884 feet called Life Mountain. The outline of that range is found below. Local Indian legends claim that one of the gods became angry with his people and gathered the rain clouds together and lay down to sleep. When clouds hang over the peaks they are said to have slipped from his grasp. The legend concludes with the expectation that someday the anger will cease and he will arise and lead the Indians to victory over their enemies.

Montezuma-Cortez School District RE-1

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July 20, 2004



Bill Thompson
Superintendent
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Human Resources/
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Tom Burris
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Financial Services

Letter of Appeal
Schools and Libraries Division
Box 125 - Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

RE: Form 471 Application Number: 414192
Funding Year 2004: 07/01/2004 - 06/30/2005
Billed Entity Number: 142420
Applicant's Form Identifier: 2004 471 IC

To Whom It May Concern:

Please note that this is a letter of appeal for the above referenced application.

1. Name, address, telephone number, fax number, and e-mail address for the person who can most readily discuss this appeal.

Terri Storm
2023 Stetson Place Court
Richmond, TX 77469
281-342-6308 (office)
281-342-6308 (fax)
terri.storm@sbcglobal.net

2. The following SLD Decision(s) are being appealed based upon the documentation provided.

FRN: 1157820

Funding Commitment Decision: Insufficient documentation
Funding Commitment Decision Explanation: Applicant has not provided sufficient documentation to determine the eligibility of this item.

Please see attached Airborne Express Airbill Number: 8756096241 as Exhibit A. Item 21 attachments were submitted and delivered (delivery

confirmation attached as Exhibit B) to SLD. Jesse Johnson from PIA Selective Consortia Team requested and confirmed receipt of the items contained in his letter dated May 19, 2004 (PIA letter attached as Exhibit C) on 06/02/2004 at 07:42AM (CST) (copy of phone bill attached as Exhibit D). Additionally, a copy of the item 21 attachment which was submitted is also furnished as Exhibit E).

FRN: 1157869

Funding Commitment Decision: Insufficient documentation

Funding Commitment Decision Explanation: Applicant has not provided sufficient documentation to determine the eligibility of this item.

Please see attached Airborne Express Airbill Number: 8756096241. Item 21 attachments were submitted and delivered (delivery confirmation attached as Exhibit A) to SLD. Jesse Johnson from PIA requested and confirmed receipt of the items contained in his letter dated May 19, 2004 (PIA letter attached as Exhibit B) on 06/02/2004 at 07:42AM (CST) (copy of phone bill attached as Exhibit C). Additionally, a copy of the item 21 attachment which was submitted is also furnished as Exhibit F).

FRN: 1157930

Funding Commitment Decision: Insufficient documentation

Funding Commitment Decision Explanation: Applicant has not provided sufficient documentation to determine the eligibility of this item.

Please see attached Airborne Express Airbill Number: 8756096241. Item 21 attachments were submitted and delivered (delivery confirmation attached as Exhibit A) to SLD. Jesse Johnson from PIA requested and confirmed receipt of the items contained in his letter dated May 19, 2004 (PIA letter attached as Exhibit B) on 06/02/2004 at 07:42AM (CST) (copy of phone bill attached as Exhibit C). Additionally, a copy of the item 21 attachment which was submitted is also furnished as Exhibit G).

FRN: 1157949

Funding Commitment Decision: Insufficient documentation

Funding Commitment Decision Explanation: Applicant has not provided sufficient documentation to determine the eligibility of this item.

Please see attached Airborne Express Airbill Number: 8756096241. Item 21 attachments were submitted and delivered (delivery confirmation attached as Exhibit A) to SLD. Jesse Johnson from PIA requested and confirmed receipt of the items contained in his letter dated May 19, 2004 (PIA letter attached as Exhibit B) on 06/02/2004 at 07:42AM (CST) (copy of phone bill attached as Exhibit C). Additionally, a copy of the item 21 attachment which was submitted is also furnished as Exhibit H).

FRN: 1157965

Funding Commitment Decision: Insufficient documentation

Funding Commitment Decision Explanation: Applicant has not provided sufficient documentation to determine the eligibility of this item.

Please see attached Airborne Express Airbill Number: 8756096241. Item 21 attachments were submitted and delivered (delivery confirmation attached as Exhibit A) to SLD. Jesse Johnson from PIA requested and confirmed receipt of the items contained in his letter dated May 19, 2004 (PIA letter attached as Exhibit B) on 06/02/2004 at 07:42AM (CST) (copy of phone bill attached as Exhibit C). Additionally, a copy of the item 21 attachment which was submitted is also furnished as Exhibit I).

FRN: 1157986

Funding Commitment Decision: Insufficient documentation

Funding Commitment Decision Explanation: Applicant has not provided sufficient documentation to determine the eligibility of this item.

Please see attached Airborne Express Airbill Number: 8756096241. Item 21 attachments were submitted and delivered (delivery confirmation attached as Exhibit A) to SLD. Jesse Johnson from PIA requested and confirmed receipt of the items contained in his letter dated May 19, 2004 (PIA letter attached as Exhibit B) on 06/02/2004 at 07:42AM (CST) (copy of phone bill attached as Exhibit C). Additionally, a copy of the item 21 attachment which was submitted is also furnished as Exhibit J).

FRN: 1158014

Funding Commitment Decision: Insufficient documentation

Funding Commitment Decision Explanation: Applicant has not provided sufficient documentation to determine the eligibility of this item.

Please see attached Airborne Express Airbill Number: 8756096241. Item 21 attachments were submitted and delivered (delivery confirmation attached as Exhibit A) to SLD. Jesse Johnson from PIA requested and confirmed receipt of the items contained in his letter dated May 19, 2004 (PIA letter attached as Exhibit B) on 06/02/2004 at 07:42AM (CST) (copy of phone bill attached as Exhibit C). Additionally, a copy of the item 21 attachment which was submitted is also furnished as Exhibit K).

FRN: 1158050

Funding Commitment Decision: Insufficient documentation

Funding Commitment Decision Explanation: Applicant has not provided sufficient documentation to determine the eligibility of this item.

Please see attached Airborne Express Airbill Number: 8756096241. Item 21 attachments were submitted and delivered (delivery confirmation attached as Exhibit A) to SLD. Jesse Johnson from PIA requested and confirmed receipt of

the items contained in his letter dated May 19, 2004 (PIA letter attached as Exhibit B) on 06/02/2004 at 07:42AM (CST) (copy of phone bill attached as Exhibit C). Additionally, a copy of the item 21 attachment which was submitted is also furnished as Exhibit L).

FRN: 1158173

Funding Commitment Decision: Insufficient documentation

Funding Commitment Decision Explanation: Applicant has not provided sufficient documentation to determine the eligibility of this item.

Please see attached Airborne Express Airbill Number: 8756096241. Item 21 attachments were submitted and delivered (delivery confirmation attached as Exhibit A) to SLD. Jesse Johnson from PIA requested and confirmed receipt of the items contained in his letter dated May 19, 2004 (PIA letter attached as Exhibit B) on 06/02/2004 at 07:42AM (CST) (copy of phone bill attached as Exhibit C). Additionally, a copy of the item 21 attachment which was submitted is also furnished as Exhibit M).

Should you have additional questions, please contact our Consultant listed in item 1 of this correspondence.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tom Burris', with a stylized flourish at the end.

Tom Burris
Business Manager

Exhibit 3

Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal
Funding Year 2004-2005

December 27, 2004

Tom Burris
Montezuma-Cortez School District RE 1
P.O. Drawer R, 121 East 1st Street
Cortez, CO 81321

Re: Applicant Name:	Montezuma-Cortez School District RE 1
Billed Entity Number:	142420
Form 471 Application Number:	414192
Funding Request Number(s):	1157820, 1157869, 1157930, 1157949, 1157965, 1157986, 1158014, 1158050, 1158173
Your Correspondence Dated:	July 20, 2004

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of SLD's Funding Year 2004 Fund Commitment Decision Letter for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number: 1157820, 1157869, 1157930, 1157949, 1157965, 1157986,
1158014, 1158050, 1158173

Decision on Appeal: **Denied in full**

- On appeal, you disagree with the denial of your requests due to insufficient documentation. You explain that the requested information was sent to SLD and receipt of the information was confirmed verbally on June 2, 2004. To support your claim, you have included an Airborne Express waybill, a copy of the Item 21, the vendor quotes that were requested by SLD and two emails you sent to SLD regarding the review process.
- Upon review of this appeal and relevant information, it has been determined that SLD has no record of receipt of the additional documentation requested by Program Integrity Assurance (PIA) during the initial review process. The Airborne Express waybill that you reference was sent to SLD Kansas and included the original Item 21 documentation

which was insufficient to support your requests, thereby prompting the request for additional information.

- SLD reviews Form 471 applications and makes funding commitment decisions in compliance with FCC rules. See 47 C.F.R. § 54.500 et. seq. To conduct these reviews, SLD has put in place administrative measures to ensure the prompt resolution of applications. See *Request for Review by Marshall County School District, Federal-State Joint Board on Universal Service, Changes to the Board of Directors of National Exchange Carrier Association, Inc.*, CC Docket Nos. 96-45 and 97-21, Order, 18 FCC Rcd. 4520, DA 03-764, ¶ 6 (rel. Mar. 13, 2003). (Marshall County) One such measure is that applicants are required to respond to SLD's requests for the additional information necessary to complete their application within 7 days of being contacted. Id.; SLD section of the USAC web site, Reference Area, "Deadline for Information Requests," www.sl.universalservice.org/reference/deadline.asp. This procedure is necessary to prevent undue delays during the application review process. See *Marshall County* ¶ 6. If applicants do not respond within this time period, SLD reviews the application based on the information before it.
- During the review of your Form 471, SLD sought additional information from you and notified you that this information needed to be provided within 7 days. You did not provide this information within 7 days or within any extended timeframe we agreed upon, or the information that you provided was insufficient to complete your Form 471 application. Consequently, SLD denies your appeal.

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either the SLD or the Federal Communications Commission (FCC). For appeals that have been denied in full, partially approved, dismissed, or cancelled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience, and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company

Exhibit A

Sender Account Number 233971246		Preprint Format No.		Payment Sender will be billed unless marked otherwise		Origin		Account Number 8756096241	
FROM (Company) Storm - Mond-Cortez		Street Address 2023 Stetson Place Ct.		City Richmond		State TX		ZIP CODE (Required) 77469	
Sent by (Name/Dept) Terri Storm		Phone (Required) 2813426308		Billing Reference (will appear on invoice) 471 app id # 414192		4 Service Type One box must be checked Assumed Express mode unless noted. 10:30 A.M. Extra charge		Express (Letter - 150 lbs) <input type="checkbox"/>	
2 TO (Company) PLEASE PRINT NEATLY S&D - Form 471		Street Address 3833 Greenway Drive		City Lawrence		State KS		ZIP CODE (Required) 66046	
Attention: (Name/Dept) Ms. Smith		Phone (Required) 8882038100		Special Instructions <input type="checkbox"/> Saturday Delivery Extra charge Express only Not available in all locations <input type="checkbox"/> Lab Pack Service		<input type="checkbox"/> Hold at Airborne		*Service may vary by destination. Please visit www.airborne.com	
Description 471 app id # 414192 attachment-		Declared Value <input type="checkbox"/> or <input type="checkbox"/> \$		Asset Protection <input type="checkbox"/>		Shipment Valuation .00		AIRBORNE EXPRESS.	
Sender's Signature Terri Storm		Date 2/4/07		Airborne Signature		Date		PD BOX 662 SEATTLE WA 98111-0662 1-800-247-2676	

SENDER'S COPY

AIRBORNE EXPRESS		SHIP	SHIP DATE	SHIP TIME	RATE	STATUS	TRACKING
BY AIR	BY GROUND	BY AIR	BY GROUND	BY AIR	BY GROUND	BY AIR	BY GROUND
TRACKING RESULTS: SUMMARY Click on any listed tracking number to view a complete shipment report including status, origin and destination, and shipment details.							
TRACKING #	PICKUP DATE	PICKUP TIME	ORIGIN	CUR STN	SIGNED FOR BY	CITY	STATUS
0200000000	2/4/04	10:28 pm	NEW YORK	NEW YORK	R. WOODRUFF	NEW YORK	Delivered
0200000001	2/4/04	10:28 pm	NEW YORK	NEW YORK	R. WOODRUFF	NEW YORK	Delivered
0200000002	2/4/04	10:28 pm	NEW YORK	NEW YORK	R. WOODRUFF	NEW YORK	Delivered
0200000003	2/4/04	10:28 pm	NEW YORK	NEW YORK	R. WOODRUFF	NEW YORK	Delivered
0200000004	2/4/04	10:28 pm	NEW YORK	NEW YORK	R. WOODRUFF	NEW YORK	Delivered
0200000005	2/4/04	10:28 pm	NEW YORK	NEW YORK	R. WOODRUFF	NEW YORK	Delivered
0200000006	2/4/04	10:28 pm	NEW YORK	NEW YORK	R. WOODRUFF	NEW YORK	Delivered
0200000007	2/4/04	10:28 pm	NEW YORK	NEW YORK	R. WOODRUFF	NEW YORK	Delivered
0200000008	2/4/04	10:28 pm	NEW YORK	NEW YORK	R. WOODRUFF	NEW YORK	Delivered
0200000009	2/4/04	10:28 pm	NEW YORK	NEW YORK	R. WOODRUFF	NEW YORK	Delivered
0200000010	2/4/04	10:28 pm	NEW YORK	NEW YORK	R. WOODRUFF	NEW YORK	Delivered
0200000011	2/4/04	10:28 pm	NEW YORK	NEW YORK	R. WOODRUFF	NEW YORK	Delivered
0200000012	2/4/04	10:28 pm	NEW YORK	NEW YORK	R. WOODRUFF	NEW YORK	Delivered
0200000013	2/4/04	10:28 pm	NEW YORK	NEW YORK	R. WOODRUFF	NEW YORK	Delivered
0200000014	2/4/04	10:28 pm	NEW YORK	NEW YORK	R. WOODRUFF	NEW YORK	Delivered
0200000015	2/4/04	10:28 pm	NEW YORK	NEW YORK	R. WOODRUFF	NEW YORK	Delivered
0200000016	2/4/04	10:28 pm	NEW YORK	NEW YORK	R. WOODRUFF	NEW YORK	Delivered
0200000017	2/4/04	10:28 pm	NEW YORK	NEW YORK	R. WOODRUFF	NEW YORK	Delivered
0200000018	2/4/04	10:28 pm	NEW YORK	NEW YORK	R. WOODRUFF	NEW YORK	Delivered
0200000019	2/4/04	10:28 pm	NEW YORK	NEW YORK	R. WOODRUFF	NEW YORK	Delivered
0200000020	2/4/04	10:28 pm	NEW YORK	NEW YORK	R. WOODRUFF	NEW YORK	Delivered

Exhibit C

05/19/04 WED 15:30 FAX 970 565 2161
5/19/2004 Time: 1:44 PM EST

MONT-CORTEZ RE-1
To: 19705652161

NECA

Page: 001-003 002



80 South Jefferson Road
Whippany, New Jersey 07981
Fax: 973-599-6576

Universal Service Administrative Company
Schools & Libraries

FAX TRANSMISSION COVER SHEET

To: Tom Burris
Fax: 19705652161
Subject: Erate Application #414192 ***Montezuma - Cortez District RE
From: Jesse Johnson-Selective Consortia Team (PIA-Selective Consortia
Date: May 19, 2004
Time: 1:44:41 PM

YOU SHOULD RECEIVE 3 PAGE(S), INCLUDING THIS COVER SHEET. IF YOU DO NOT
RECEIVE ALL THE PAGES, PLEASE CALL THE CONTACT SPECIFIED BELOW.

Date: 5/19/04

Dear, Tom Burris
Montezuma - Cortez District RE
970-565-7522
Application Number - 414192

The Program Integrity Assurance (PIA) team is in the process of reviewing all Form 471 Applications for schools and libraries discounts to ensure that they are in compliance with the rules of the federal universal service program. We are currently in the process of reviewing your Funding Year 2004 Form 471 Application. To complete our review, we need some additional information. The information needed to complete the review is listed below.

The documentation provided in the Item 21 Attachments is not sufficient to determine the eligibility of your request. The documentation does not clearly identify the products/services being requested in this

Privilege and Confidentiality Notice

The information in this telecopy is intended for the named recipients only. It may contain information that is privileged, confidential or otherwise protected from disclosure. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on the contents of this telecopied material is strictly prohibited. If you have received the telecopy in error, please notify us by telephone immediately and mail the original to us at the above address. Thank you

FRN. Please provide more detailed documentation that identifies the actual products and services being requested. If your documentation does not identify the specific products and services being delivered, you will need to contact your vendor and request such documentation. The vendor should be able to provide you with a detailed documentation identifying the specific products and services being provided. Sent 5/26 - Resubmission
5/27

Any documentation provided should clearly identify any ineligible charges that were cost allocated out of your request. If you are unable to justify the eligibility charges requested on your Form 471, the request may be reduced or denied.

Based upon review of your Form 471 application, we were not able to validate your requested discount percentage for <BEECH STREET KINDERGARTEN, MANAUGH ELEMENTARY SCHOOL, MONTEZUMA-CORTEZ HIGH SCHOOL, LEWIS-ARRIOLA ELEM SCHOOL>. If you agree that this entity should be eligible for the discount percentage we could validate, please send us a written statement verifying that you accept the modification to the discount percentage. If you choose to validate your original requested discount percentage, then please provide the appropriate documentation if one of the following acceptable methods were used:

a. If the school participates in a National School Lunch Program (NSLP), please provide us a signed copy (preferably by the Principal, Vice-Principal, Superintendent, or Director of Food Services) of the Reimbursement Claim Form that the school sends to the state each month. Make sure that the following 3 items are identified:

- 1) The Entity name
- 2) The total number of students enrolled at the entity
- 3) The total number of students eligible for Free/Reduced Lunch Program for the entity

If the school district fills out an aggregate form for the school district, provide a signed letter from a school official (preferably the Superintendent) that lists the Free/Reduced information for each school in the district.

b. If the discount percentage was determined by information obtained from a survey/application, please provide the following information:

- 1) Total number of students enrolled
- 2) Total number of surveys/applications sent out
- 3) Number of surveys/applications returned
- 4) Total number of students qualified for NSLP per the returned surveys/applications
- 5) Are the surveys/applications and results kept on file.
- 6) Provide a sample copy of a FILLED OUT SURVEY/APPLICATION with the child's personal information crossed out for confidentiality.
- 7) A signed certification that reads: "I certify that only those students who meet the Income Eligibility Guidelines of the National School Lunch Program have been included in Column 5 of Item 10b, of Block 4 (Worksheet A) of the Form 471."
- 8) This information must be in writing on school letterhead and signed by a school official (such as the Principal, Vice-Principal, Superintendent, Director of Food Services).

If the discount was determined using a different method than what was identified above, please indicate the method that was used.

Please fax or e-mail the requested information to my attention. If you have any questions, please feel free to contact me.

It is important that we receive all of the information requested so we can complete our review. Failure to do so may result in a reduction or denial of funding.

Please send the requested information within seven calendar days.

05/19/04 WED 15:31 FAX 970 565 2161
5/19/2004 Time: 1:44 PM EST

MONT-CORTEZ RE-1
To: 19705652161

NECA

Page: 003-003

004

Thank you for cooperation and continued support of the Universal Service Program.

Sincerely,

Jesse Johnson
Schools And Libraries Division
Program Integrity Assurance
Phone: 973-884-8379
FAX: 973-599-6576
jjohnso@sl.universalservice.org

*7:40 pm 5/19 - Jesse confirmed receipt of info. Will
let me know if he needs anything further.*

ber
08-233-8
2004



Page 8 of 10

Exhibit D

arges (rounded)	Item	Date	Time	Place Called	Area	Number	Rate*	Min	Amount
	12	05/15	10 59PM	BATONROUGE	LA	225 763-4301	D	1.00	.07
	13	05/15	10 59PM	BATONROUGE	LA	225 763-4301	D	2.00	.14
	14	05/17	08 23AM	BATONROUGE	LA	225 806-0057	D	1.00	.07
	15	05/17	09 46AM	BATONROUGE	LA	225 806-0057	D	3.00	.21
	16	05/17	11 12AM	BATONROUGE	LA	225 924-7600	D	2.00	.14
	17	05/17	04 47PM	BATONROUGE	LA	225 806-0057	D	1.00	.07
	18	05/18	09 41AM	DENVER	CO	303 866-6946	D	1.00	.07
	19	05/18	09 43AM	DOVE CREEK	CO	970 677-2522	D	5.00	.35
	20	05/18	07 20PM	DUTCH TOWN	LA	225 673-6148	D	12.00	.84
	21	05/18	09 34PM	BATONROUGE	LA	225 763-4301	D	9.00	.63
	22	05/20	08 34PM	DENHAM SPG	LA	225 664-8351	D	6.00	.42
	23	05/21	09 42AM	WHIPPANY	NJ	973 884-8379	D	2.00	.14
	24	05/22	06 39AM	DUTCH TOWN	LA	225 673-6148	D	2.00	.14
	25	05/24	07 21AM	DUTCH TOWN	LA	225 673-6148	D	39.00	2.73
	26	05/24	11 29AM	BATONROUGE	LA	225 802-7698	D	1.00	.07
	27	05/24	11 30AM	DUTCH TOWN	LA	225 673-6148	D	1.00	.07
	28	05/24	11 30AM	BATONROUGE	LA	225 802-7698	D	2.00	.14
	29	05/29	07 25AM	DUTCH TOWN	LA	225 673-6148	D	1.00	.07
	30	05/29	07 25AM	BATONROUGE	LA	225 802-7698	D	1.00	.07
	31	05/29	07 25AM	DUTCH TOWN	LA	225 673-6148	D	1.00	.07
	32	05/29	07 40AM	BATONROUGE	LA	225 802-7698	D	1.00	.07
	33	05/30	06 52AM	DUTCH TOWN	LA	225 673-6148	D	9.00	.63
	34	05/31	12 42PM	BATONROUGE	LA	225 806-0057	D	1.00	.07
	35	06/01	09 38AM	DOVE CREEK	CO	970 677-2522	D	2.00	.14
	36	06/01	09 58AM	WHIPPANY	NJ	973 884-8379	D	1.00	.07
	37	06/02	07 23AM	WHIPPANY	NJ	973 884-8379	D	2.00	.14
	38	06/02	05 23PM	GONZALES	LA	225 647-2881	D	2.00	.14
	39	06/03	06 43AM	DUTCH TOWN	LA	225 673-6148	D	14.00	.98
	40	06/03	09 06AM	GONZALES	LA	225 647-2881	D	1.00	.07
	41	06/03	01 30PM	BATONROUGE	LA	225 806-0057	D	4.00	.28
	42	06/04	07 19AM	DUTCH TOWN	LA	225 673-6148	D	30.00	2.10
	43	06/04	10 55AM	BATONROUGE	LA	225 806-0057	D	4.00	.28
	44	06/04	11 52AM	DOLORES	CO	970 882-4127	D	1.00	.07
	45	06/04	11 53AM	DURANGO	CO	970 759-8265	D	12.00	.84
	46	06/04	12 05PM	BATONROUGE	LA	225 273-1206	D	1.00	.07
	47	06/04	12 06PM	BATONROUGE	LA	225 806-0057	D	1.00	.07
	48	06/04	12 09PM	BATONROUGE	LA	225 272-5661	D	6.00	.42
	49	06/04	12 16PM	BATONROUGE	LA	225 806-0057	D	1.00	.07
	50	06/04	12 17PM	BATONROUGE	LA	225 272-5661	D	1.00	.07
	51	06/05	07 19AM	DUTCH TOWN	LA	225 673-6148	D	5.00	.35
	52	06/06	06 58AM	DUTCH TOWN	LA	225 673-6148	D	47.00	3.29
	53	06/09	08 29AM	WHIPPANY	NJ	973 884-8117	D	3.00	.21

Subtotal Domestic Calls for 281-342-6308

22.96

Total Domestic Calls for 281-342-6308

22.96

Total Calls for 281-342-6308

22.96

SBC Long Distance
Billing Questions
1-800-585-7928

3617.009.067604.04.05.000000 NNYYYNY

Montezuma-Cortez District R E 1

Funding Year 2004

Billed Entity Number: 142420

Application Number: 414192

Attachment Number: 001

Provider Contract Number: N/A

Service Provider Name: Wahaya L.L.C.

Service Providers SPIN#: 143026983

Billing Account Number: TBA

Services Ordered: Internal Connections

Description of Services: Switches to provide dedicated bandwidth at each network port.

$$\begin{aligned} & \$912.85 \times 12 = \$10954.20 + \\ & \$1010.00 \text{ (non-recurring)} = \$11964.20 \end{aligned}$$

$$\$11964.20 \times 80\% = \$9571.36$$

Exhibit E



wahaya

543 Voorhies Drive
Baton Rouge, LA 70815
225.273.1206 o
225.273.1026 f

Montezuma-Cortez District RE1
121 E 1st St
Cortez, CO 81321

Estimate

Date	Estimate No.
1/29/2004	10103

Description	Qty	Rate	Total
3Com® SuperStack® 3 Switch 3300 24-Port Managed 10/100 stackable switch; Layer 2; one expansion slot	6	1,547.15	9,282.90T
Installation including travel, per diem and configuration	1	830.00	830.00T
Component Support Agreement	1	1,671.30	1,671.30T
Shipping VIA UPS/FedEX or other national carrier	6	30.00	180.00T
Tax (0.0%)			\$0.00
Total			\$11,964.20